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EXAMINER

VAN DOREN, BETH

ART UNIT PAPER NUMBER

3623

DATE MAILED: 11/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/480,589

Applicant(s)

RUPPELT ET AL.

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. The following is a Final Office Action in response to the communications received on 09/10/03. Claims 1, 19, 28, 46, 55, and 64 have been amended. Claims 1-72 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-6, 9-11, 13, 16, 18-23, 25-33, 36-38, 40, 43, 45-50, 52-59, 61-68, and 70-72 are rejected under 35 U.S.C. 102(e) as being anticipated by Storch et al. (U.S. 5,920,846).

4. As per claim 1, Storch et al. teaches a method of enabling scheduling of a service call in a computing environment, the method comprising:

obtaining product information from a user of the computing environment (See column 54, lines 1-15, column 55, lines 1-8, column 56, lines 10-25 and 41-51, wherein an order taker

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person or a customer enters product information from a user into the computing environment) ;

and

automatically providing to the user, from who the product information is obtained, at least one available appointment for scheduling a service call based on the product information, wherein the automatic providing includes providing without interaction between the user and any other human beings (See column 53, lines 62-67, column 54, lines 1-15 and 66-67, column 55, lines 1-8, 18-23, 27-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein the user is automatically provided via the computing system at least one appointment at which he/she can schedule an appointment for a service house call based on the known product information. The customer automatically interacts with the computer system. See specifically column 53, lines 62-67, and column 54, lines 1-5).

5. As per claim 2, Storch et al. discloses a method wherein the product information comprises a location of the product and at least one of a product type, a product manufacturer, and a product model number, and wherein the at least one available appointment is based on the location of the product (See column 54, lines 1-15, column 55, lines 1-8, 18-23, 27-38, and 45-60, and column 56, lines 10-20, wherein the product information includes the location of the product (where the service house call needs to happen) and at least the product type).

6. As per claim 3, Storch et al. discloses a method wherein the automatically providing comprises selecting the at least one available appointment from at least one possible appointment for at least one service provider (See at least figure 12, column 54, lines 1-15 and 66-67, column 55, lines 1-8, 18-23, 27-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and

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46-58, wherein at least one available appointment is selected from the available appointments from at least one service provider associated with the geographic location of the product).

7. As per claim 4, Storch et al. discloses a method wherein the automatically providing comprises selecting the at least one available appointment from a plurality of appointments, and wherein the plurality of appointments are associated with a plurality of service providers at a plurality of locations (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein at least one available appointment time is selected from a plurality of available appointments, these appointments being associated with a database containing a plurality of service providers (service technicians able to be dispatched to provide service) for a plurality of geographic locations).

8. As per claim 5, Storch et al. discloses a method wherein the automatically providing comprises determining in real-time the at least one available appointment (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein real-time appointment availability records are maintained in the system and are provided in real-time to the user).

9. As per claim 6, Storch et al. discloses a method wherein the automatically providing comprises determining in real-time the at least one available appointment as unavailable in the event another user has selected the at least one available appointment (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein real-time appointment availability records are maintained in the system and are provided in real-time to the user. Appointments that have

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already been selected by other users are stored as unavailable and cannot be selected by the user).

10. As per claim 9, Storch et al. discloses a method further comprising providing to the user a suggested nature of a problem based on the product information (See column 56, lines 1-25 and 41-61, wherein based on the product information the user is provided with a suggested nature of the problem based on the historical knowledge of tool on similar product information).

11. As per claim 10, Storch et al. teaches a method further comprising obtaining one of the at least one available appointment selected by the user (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein the at least one available appointment time is obtained for the user and is stored in association with their service call request).

12. As per claim 11, Storch et al. discloses a method further comprising notifying a service provider of the one of the at least one available appointment selected by the user (See column 54, lines 1-10, 40-48, and 65-67, and column 57, lines 25-37, wherein the system of the service provider is notified of the due date of the service order and the service order is completed by the due date).

13. As per claim 13, Storch et al. discloses a method further comprising setting the one of the at least one available appointment selected by the user as unavailable for other users (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein the at least one selected available appointment is stored in the system as unavailable).

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14. As per claim 16, Storch et al. discloses a method wherein the obtaining the product information at a first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a communications network (See column 54, lines 66-67, and column 55, lines 1-10, wherein the product information is obtained at a second location from inputting at a first location via a communications network (the information is transmitted online)).

15. As per claim 18, Storch et al. discloses a method wherein said service call is for repair of a home appliance (See column 55, lines 28-33, and column 56, lines 10-20, wherein the service call is a request for the repair of the home appliance of a phone).

16. As per claim 19, Storch et al. teaches a method of enabling scheduling of a service call for repair of a home appliance in a computing environment, the method comprising:

obtaining product information at a first computing unit from input of the product information by a user at a second computing unit coupled to the first computing unit via a communications network (See column 54, lines 1-15 and 66-67, column 55, lines 1-10, column 56, lines 10-25 and 41-51, wherein a customer enters product information from a user into the computing environment. The product information is obtained at a second location from inputting at a first location via a communications network (the information is transmitted online)); and

automatically providing from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information, wherein automatically providing includes providing without interaction between the user and any other human being (See column 53, lines 62-67, column 54, lines 1-15 and 66-67, column 55, lines 1-8, 18-23, 27-38, and 45-60, column

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57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein the user is automatically provided via the computing system at least one appointment at which he/she can schedule an appointment for a service house call based on the known product information. The customer automatically interacts with the computer system. See specifically column 53, lines 62-67, and column 54, lines 1-5).

17. As per claim 20, Storch et al. discloses a method wherein the product information comprises a location of the product, and at least one of a product type, a product manufacturer, and a product model number, and wherein the at least one available appointment is based on the location of the product (See column 54, lines 1-15, column 55, lines 1-8, 18-23, 27-38, and 45-60, and column 56, lines 10-20, wherein the product information includes the location of the product (where the service house call needs to happen) and at least the product type).

18. As per claim 21, Storch et al. teaches a method wherein the automatically providing comprises selecting the at least one available appointment from a plurality of appointments, and wherein the plurality of appointments are associated with a plurality of service providers at a plurality of locations See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein at least one available appointment time is selected from a plurality of available appointments, these appointments being associated with a database containing a plurality of service providers (service technicians able to be dispatched to provide service) for a plurality of geographic locations).

19. As per claim 22, Storch et al. teaches a method wherein the automatically providing comprises determining in real-time the at least one available appointment (See at least figure 12,

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column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein real-time appointment availability records are maintained in the system and are provided in real-time to the user).

20. As per claim 23, Storch et al. discloses a method wherein the automatically providing comprises updating in real-time the at least one available appointment as unavailable in the event another user has selected the at least one available appointment (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein real-time appointment availability records are maintained in the system and are provided in real-time to the user. Appointments that have already been selected by other users are stored as unavailable and cannot be selected by the user).

21. As per claim 25, Storch et al. teaches a method further comprising obtaining one of the at least one available appointment selected by the user (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein the at least one available appointment time is obtained for the user and is stored in association with their service call request).

22. As per claim 26, Storch et al. discloses a method comprising notifying a service provider of the one the at least one available appointment selected by the user (See column 54, lines 1-10, 40-48, and 65-67, and column 57, lines 25-37, wherein the system of the service provider is notified of the due date of the service order and the service order is completed by the due date).

23. As per claim 27, Storch et al. discloses a method further comprising setting to one of the at least one available appointment selected by the user as unavailable to other users (See at least figure 12, column 54, lines 66-67, column 55, lines 1-8, 18-38, and 45-60, column 57, lines 42-

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54, and column 58, lines 5-35 and 46-58, wherein the at least one selected available appointment is stored in the system as unavailable).

24. As per claims 28-33, 36-38, 40, 43, and 45, claims 28-33, 36-38, 40, 43, and 45 are system versions of the methods of claims 1-6, 9-11, 13, 16, and 18, respectively. Therefore, claims 28-33, 36-38, 40, 43, and 45 are rejected using the art relied upon in the rejections of claims 1-6, 9-11, 13, 16, and 18, respectively.

25. As per claims 46-50 and 52-54, claims 46-50 and 52-54 are systems versions of the methods of claims 19-23 and 25-27, respectively. Therefore, claims 46-50 and 52-54 are rejected using the same art relied upon in the rejections of claims 19-23 and 25-27, respectively.

26. As per claims 55-59 and 61-63, claims 55-59 and 61-63 are systems versions of the methods of claims 19-23 and 25-27, respectively. Therefore, claims 55-59 and 61-63 are rejected using the same art relied upon in the rejections of claims 19-23 and 25-27, respectively.

27. As per claim 64, Storch et al. teaches an article of manufacture comprising:

at least one computer usable medium having computer readable program code means embodied therein for causing the scheduling of a service call for repair of a home appliance (See column 54, lines 1-15 and 66-67, column 55, lines 1-10, 18-23, 27-38, and 45-60, column 56, lines 10-20, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein a service call is scheduled for a repair of a home appliance of a phone), the computer readable program code means in said article of manufacture comprising:

computer readable program code means for causing a computer to obtain product information at a first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a communications network (See

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column 54, lines 1-15 and 66-67, column 55, lines 1-10, column 56, lines 10-25 and 41-51, wherein an order taker person or a customer enters product information from a user into the computing environment. The product information is obtained at a second location from inputting at a first location via a communications network (the information is transmitted online)); and

computer readable program code means for causing a computer to provide from the first computing unit to the user that input the product information at the second computing unit at least one available appointment for scheduling a service call based on the product information (See column 53, lines 62-67, column 54, lines 1-15 and 66-67, column 55, lines 1-10, 18-23, 27-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein the user is automatically provided via the computing system's units at least one appointment at which he/she can schedule an appointment for a service house call based on the known product information).

28. As per claims 65-68 and 70-72, claims 65-68 and 70-72 are systems versions of the methods of claims 20-23 and 25-27, respectively. Therefore, claims 65-68 and 70-72 are rejected using the same art relied upon in the rejections of claims 20-23 and 25-27, respectively

Claim Rejections - 35 USC § 103

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

30. Claims 7, 8, 12, 14, 15, 17, 24, 34, 35, 39, 41, 42, 44, 51, 60, and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Storch et al. (U.S. 5,920,846) in view of *GE Answer*

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Center (General Electric Company). The following articles explain the different aspects of the

GE Answer Center:

- i. Article "GEA: Making Things Happen-Consumer Friendly" from Appliance Manufacturer (referred to herein as reference A);
- ii. Article "Connected to Consumers" by Norman C Remich, Jr. (referred to herein as reference B);
- iii. Article "Benefiting from the 'Net'" by John S McClenahen (referred to herein as reference C); and
- iv. Article "GE Answers Call to Evolve 10-Year-Old Help Line" by Alan Radding (referred to herein as reference D).

31. As per claim 7, Storch et al. discloses a method wherein product information is elicited from the user (See column 54, lines 1-7 and 66-67, column 55, lines 1-8, and column 56, lines 1-25, wherein product information is elicited from the user). However, Storch et al. does not expressly disclose providing suggested product information to the user for use by the user in providing the product information.

GE Answer Center discloses providing suggested product information to the user for use by the user in providing the product information (See reference A, page 2, sections 1 and 4, page 3, section 1, and column 4, section 2, and reference D, page 1, section 1, page 2, section 1, 2, 4, and 5, and page 3, section 1, wherein the *GE Answer Center* is provided product information from the consumer based on prompts and questions asked by the representative).

Both Storch et al. and *GE Answer Center* disclose scheduling service calls for customers based on product information as well as eliciting information from the customers to aid in the communication and identification of the problem of the customer. It is old and well known that a service representative (or the interface acting as a service representative) has specific information that must be known in order to help a customer and that the representative (or interface) will gain this needed information from the customer by asking questions and receiving answers to these questions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to suggest product information to the user so that the user would provide the product information in order to better meet the needs of the customer by gaining all the information needed to diagnose the customer's situation.

32. As per claim 8, Storch et al. discloses a method wherein the product information comprises at least one of a product type, a product manufacturer, and a product model number (See column 54, lines 1-15, column 55, lines 1-8, 18-23, 27-38, and 45-60, and column 56, lines 10-20, wherein the product information includes at least the product type). However, Storch et al. does not expressly disclose suggested product information.

GE Answer Center discloses suggested product information (See reference A, page 2, sections 1 and 4, page 3, section 1, and column 4, section 2, and reference D, page 1, section 1, page 2, section 1, 2, 4, and 5, and page 3, section 1, wherein the GE Answer center provides a user with suggested product information that leads the user to provide the necessary information).

Both Storch et al. and *GE Answer Center* disclose scheduling service calls for customers based on product information as well as eliciting information from the customers to aid in the

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communication and identification of the problem of the customer. It is old and well known that a service representative (or the interface acting as a service representative) has specific information that must be known in order to help a customer and that the representative (or interface) will gain this needed information from the customer by asking questions and receiving answers to these questions. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to suggest product information to the user so that the user would provide the product information in order to better meet the needs of the customer by gaining all the information needed to diagnose the customer's situation.

33. As per claim 12, Storch et al. teaches a method with a service provider associated with the company (See column 54, lines 1-15 and 66-67, column 55, lines 1-8, 18-23, 27-38, and 45-60, column 57, lines 42-54, and column 58, lines 5-35 and 46-58, wherein service providers are associated with the company). However, Storch et al. does not expressly disclose that the service provider is at least one of a factory service provider and an authorized service provider.

GE Answer Center teaches that the service provider is at least one of a factory service provider and an authorized service provider (See reference A, page 2, section 3, wherein the service provider is an authorized service provider).

Both Storch et al. and *GE Answer Center* disclose scheduling service calls with service providers for customers based on product information. It would have been obvious to one of ordinary skill in the art at the time of the invention to use at least one of factory service provider and an authorized service provider in order to increase brand loyalty by providing customers with the most qualified persons for the servicing job, as stated in reference A, page 2, section 3.

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34. As per claim 14, Storch et al. discloses obtaining and validating product information (See column 54, lines 1-17, and column 56, lines 1-24, wherein product information is obtained and validated during the service appointment providing process). However, Storch et al. does not expressly disclose validating warranty coverage for the product based on the product information.

GE Answer Center discloses validating warranty coverage for the product based on the product information (See reference A, page 2, sections 1-3, and page 3, section 1, reference B, page 2, section 2, and reference D, page 2, section 5, wherein the warranty coverage for the product is validated based on the product information obtained from the customer).

Both Storch et al. and *GE Answer Center* disclose scheduling service calls for customers based on product information as well as confirming product information to ensure the right service is provided to a customer (ex.'s offering the right solution to a customer, confirming dispatch is needed or not needed, etc.). It is old and well known that products have warranty coverages associated with them that explain the terms of the services given with the ownerships. It would have been obvious to one of ordinary skill in the art at the time of the invention to validate warranty coverage for a product in order to increase brand loyalty by better serving the in-warranty customers based on the terms of their warranty and more quickly and accurately referring out-of-warranty customers to the appropriate technicians, as stated in reference A, page 2, section 3.

35. As per claim 15, Storch et al. teaches a method further comprising obtaining a nature of a problem of the product (See column 54, lines 1-8 and 66-67, column 55, lines 1-8 and 60-67, column 56, lines 1-21 and 44-55, wherein the nature of the problem is obtained from a customer

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through the service order process). However, Storch et al. does not expressly disclose providing do-it-yourself repair information based on the nature of the problem.

GE Answer Center teaches obtaining a nature of a problem of the product and providing do-it-yourself repair information based on the nature of the problem (See reference A, page 2, section 1, page 3, section 1, and page 4, sections 1, 2, and 3, wherein the nature of the problem information is obtained and do-it-yourself repair information is provided using the problem information).

Both Storch et al. and *GE Answer Center* disclose scheduling service calls for customers based on product information as well as trying to not dispatch service providers when a dispatch is unnecessary. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide do-it-yourself repair information based on the nature of the problem in order to reduce the number of service calls by helping a user address simpler problems, thereby saving service call appointments for users who truly need the technicians and saving money for the company by not unnecessarily dispatching technicians.

36. As per claim 17, Storch et al. teaches a method wherein a communications network is used that is accessible by either the order taker or the customer as well as the technicians (See column 54, lines 1-8 and 66-67, column 55, lines 1-8, and column 57, lines 30-38, which discloses an on-line accessible communications system wherein the customer or the order taker can access information). However, Storch et al. does not expressly disclose that the communications network is a global computer network.

GE Answer Center discloses a global computer network (See reference C, page 1, sections 1 and 2, which disclose Web access to the system).

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Both Storch et al. and *GE Answer Center* disclose scheduling service calls for customers based on product information as well as communicating using a computer communication network. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a global network as the communications network of Storch et al. in order to increase usability of the tool by allowing users and service providers at remote locations access to information of the system. Using global communications networks for increased access to information from remote locations is old and well known in the art.

37. As per claims 24, 51, 60, and 69, claims 24, 51, 60, and 69 are all system versions of the method of claim 15. Therefore, claims 24, 51, 60, and 69 are all rejected using the same art and reasoning relied upon in the rejections of claim 15.

38. As per claims 34, 35, 39, 41, 42, and 44, claims 34, 35, 39, 41, 42, and 44 are system versions of the method of claims 7, 8, 12, 14, 15, and 17, respectively. Therefore, claims 34, 35, 39, 41, 42, and 44 are rejected using the same art and reasoning relied upon in the rejections of claims 7, 8, 12, 14, 15, and 17, respectively.

Response to Arguments

39. Applicant's arguments with regard to the rejections based on Storch et al. (U.S. 5,920,846) have been fully considered but are found not to be persuasive. In the remarks, the Applicant argues that Storch et al. does not teach or suggest (1) scheduling a service call including obtaining product information from a user, (2) scheduling a service call including obtaining product information at a first computing unit from input of the product information by a user at a second computing unit coupled to the first computing unit via a communications network, and (3) automatically providing to the user, from who the product information is

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obtained, at least one available appointment for scheduling a service call based on the product information, wherein the automatic providing includes providing without interaction between the user and any other human beings.

In response to argument (1) of the Applicant, Examiner respectfully disagrees. Examiner specifically points out column 53, lines 62-67, and column 54, lines 1-15, wherein the user communicates directly with the computer order entry system and inputs product information from the user.

In response to argument (2) of the Applicant, Examiner respectfully disagrees. Figure 9 as well as column 54, lines 1-15 and 66-67, column 55, lines 1-10, column 56, lines 10-25 and 41-51, wherein a customer enters product information into the computing environment. Figure 9 shows the distribution of the components of the system.

In response to argument (3) of the Applicant, Examiner respectfully disagrees. Storch et al. discloses that a user can directly interact with the computer order entry system, therefore not using an order taker person, as specifically disclosed in column 53, lines 62-67, and column 54, lines 1-15. Therefore, the information of the system is automatically provided to the user without the intervention of any other human beings through the computer order entry system interface.

Examiner points out that claims 1, 19, 28, 46, 55, and 64 all contain the same elements that have been addressed in the Applicants arguments. Therefore, the responses above are applicable in each instance.

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40. Applicant's arguments with regard to the rejections based on Storch et al. (U.S. 5,920,846) in view of the articles that disclose *GE Answer Center* (General Electric Company) have been fully considered but are found not to be persuasive. In the remarks, the Applicant argues that Storch et al. and *GE Answer Center* do not teach or suggest (4) scheduling a service call including obtaining product information from a user, (5) scheduling a service call including obtaining product information at a first computing unit from input of the product information by a user at a second computing unit coupled to the first computing unit via a communications network, (6) automatically providing to the user, from who the product information is obtained, at least one available appointment for scheduling a service call based on the product information, wherein the automatic providing includes providing without interaction between the user and any other human beings, and that (7) there is no motivation to combine the references and therefore it is not obvious to combine the references, and (8) that the Examiner has used impermissible hindsight.

In response to arguments (4)-(6) of the Applicant, Examiner reminds the Applicant that *GE Answer Center* was relied upon to teach providing suggested product information to the user for use by the user in providing the product information, validating warranty coverage for the product based on the product information, obtaining a nature of a problem of the product and providing do-it-yourself repair information based on the nature of the problem, that the service provider is at least one of a factory service provider and an authorized service provider, and to teach a global communications network, and not to teach arguments (4)-(6) of the Applicant. Examiner relied upon Storch et al. to teach and suggest these limitations, and Examiner reasserts that responses to arguments (1)-(3) above with regard to arguments (4)-(6).

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In response to argument (7) of the Applicant, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Storch et al. and *GE Answer Center* disclose scheduling service calls for customers based on product information as well as trying to not dispatch service providers when a dispatch is unnecessary. Therefore, there is motivation to combine the references.

In response to argument (8) of the Applicant, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

41. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



bvd

November 10, 2003



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